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C O N F I D E N T I A L SECTION 01 OF 03 VIENTIANE 000298

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DEPARTMENT FOR EAP/MLA, DRL, PRM, S

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TAGS: [PGOV](#) [PINR](#) [PREL](#) [KCRM](#) [TH](#) [LA](#)

SUBJECT: DEPUTY HIGH COMMISSIONER FOR REFUGEES' LAO VISIT
-- SOME HOPE FOR HMONG CHILDREN

REF: VIENTIANE 234 AND PREVIOUS

Classified By: Charge d'Affaires Kristen Bauer, reason 1.4 (b) and (d).

Summary

1. (C) UN Deputy High Commissioner for Refugees Wendy Chamberlin's March 28-30 visit offered some promise of a positive resolution to Laos' continued detention of 27 Hmong deportees. Chamberlin met with Politburo member Pany Yathoteu, and ethnic Hmong, and with Deputy Foreign Minister Phongsavath. Both relayed that the GoL cannot search for the missing group of Hmong until the Thai provide an "explanation" for their deportation to Laos in December. Chamberlin told both that she would relay this requirement to the RTG. She suggested that a Thai verbal explanation to the Lao Ambassador to Bangkok would satisfy the Lao demand. Chamberlin concluded from her meetings that the Lao would not require a third party to broker the handover of the children, but could make the arrangements directly with the Thai. She suggested that should the Thai deliver and the Lao then fail to uphold their end of the bargain, the international community, including ASEAN countries, should get much tougher with the GoL. End summary.

Background of the visit

2. (C) The UNDP handled all arrangements for Deputy High Commissioner (and former U.S. Ambassador to Laos, 1996-1999) Wendy Chamberlin's visit, designed to find a resolution to the Lao government's continued detention of the 27 Hmong following their deportation from Thailand as illegal immigrants. Although UNDP presented the visit as a "courtesy call," GoL approval was only given the day before her arrival. (Comment: we believe her trip to Vientiane was approved only following deliberation at the highest levels of the government, with the Lao no doubt well aware of her real mission.)

3. (C) In its diplomatic note requesting the visit, UNDP had asked for meetings with "appropriate officials," but had verbally relayed to MFA its desire for Chamberlin to meet with the Foreign Minister, with Minister to the President's Office Soubanh Srithirath, and with National Assembly Vice President Pany Yathoteu, a member of the Politburo. In its

approval, however, MFA notified UNDP that the Deputy High Commissioner would meet with Deputy FM Phongsavath Boupha, a much lower level interlocutor than UNDP had sought. Only after Chamberlin's arrival did the GoL grant her a second meeting, with Pany; UNDP felt Pany agreed to the meeting as a personal favor to UNDP, an organization that had supported her activities in the Assembly and was in part responsible for her recent promotion to the Politburo.

Meetings with the GoL

14. (C) In a meeting with select diplomats and heads of UN agencies the afternoon of March 29, Chamberlin discussed the results of the two meetings. She said she told the two Lao officials that the purpose of her visit was "friendly," since she had many friends in Laos from her days as U.S. Ambassador. She loved the Lao people, and wished to help resolve the problem of the missing children. She conveyed to Phongsavath and Pany that, while she was in Bangkok, she had met with Thai NSC Director General Winai Phattiyakhul and MFA PermSec Krit Garnchana-Goonchorn, who had given her a consistent message: the Thai had "made a mistake" in deporting the group of Hmong to Laos; the RTG would allow the children to return to Thailand on a one-time basis, with NSC arranging with Thai immigration for their smooth transfer from Laos; the Thai wanted to see the children in the group reunited with their families; and there would be no publicity surrounding the return.

15. (C) Chamberlin told the diplomats and UN officials that both Pany and Phongsavath had complained that their government had begun looking for the children, but that they had not yet received a formal explanation of the deportation

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from the Thai. Without that information, they could not complete their search. Chamberlin emphasized that neither Phongsavath nor Pany said the explanation needed to be in written form, and she felt strongly that a verbal explanation would be sufficient. (At a reception for Chamberlin later that evening, the UNDP ResRep told DCM that he had checked with contacts in the GoL who had confirmed that they did not require a written explanation from the Thai.) Her impression from the two conversations was the Lao saw the Thai unwillingness to provide them with an explanation as a diplomatic slight, and deeply offensive to Lao pride.

The plan -- call in the Lao Ambassador to Thailand

16. (C) Chamberlin said she told both Lao officials that she would be meeting with Winai and Krit in Bangkok on her return there, and would convey to both the Lao demand that they explain the children's deportation. She mentioned to them that she would suggest to the Thai that they call in Lao Ambassador to Thailand Hiem Phommachanh and give him the same four-point explanation they had given her. The Deputy HC later told DCM privately that, if possible, this should be done concurrently with a call by the Thai Ambassador to Vientiane on the Lao MFA, to deliver the same message. (Comment: The gathered diplomats welcomed the idea of calling in the Lao Ambassador. Hiem has apparently been tapped to become a Deputy FM and will be returning to Vientiane within months to take up his new post. His promotion is viewed positively among the diplomatic community here, who see him as a realist rather than an ideologue.)

17. (C) Chamberlin said at the briefing that neither Phongsavath nor Pany responded directly to her suggestion, but Phongsavath did say after her proposal that his government had been preoccupied with the recent Party Congress, and had not had time to look for the children. Now that the Congress was over, the government would continue the search. Phongsavath also told Chamberlin he did not understand why Laos, and not Thailand, was getting blamed for the children's situation. She responded that she was blaming no one, but was merely looking for a solution that would

return the children to their families.

¶8. (C) The Deputy HC had no way to assess the chances of success of her proposal, but felt it merited an effort to get Thai agreement to talk to Ambassador Hiem in Bangkok. She saw her visit as a "last chance" to resolve the issue quietly. If the Lao failed to deliver the children after the Thai had talked with Hiem, the pressure on the GoL should be ratcheted up significantly. She also felt that ASEAN countries needed to weigh in much more strongly; at a reception the evening of March 29 Chamberlin told several ASEAN Ambassadors that their countries had an obligation to speak out on the missing children, an issue that was non-political, to demonstrate that ASEAN could take on substantive issues.

Comment

¶9. (C) Chamberlin's visit elicited the first signs of flexibility on the missing children we have seen from the Lao side in over a month. Lao statements about the missing children since late February have generally been much more categorical that the children were not here, leading us to believe that they had closed the book on the case and had no intention of releasing them. But Phongsavath's and Pany's comments to Chamberlin indicate that there is still a chance the Lao will release the group, providing their demand for a Thai explanation can be met. They have thrown the ball squarely back into the Thai court. Chamberlin's intention is to press the Thai to give the Lao what they are looking for, pointing out that the Thai would have to tell the Lao no more than they told her.

¶10. (C) If Chamberlin's read of the Lao is correct, they are looking for a way out of the corner they have boxed themselves into by detaining the children for so long, but need to be confident they will not be blamed for what has happened. As a result of that requirement, one critical

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element to securing the release of the children will be convincing the Lao that the handover will be without publicity and without recrimination. To assure a discreet handover, Deputy HC Chamberlin felt the matter should ideally be handled directly between the Lao and Thai, without the involvement of the international community. End comment.
BAUER